TRUSTEES INDICTED FOUR BASHINGTON SAVINGS BANK MEN ACCUSED.

Perjury in Swearing to Statements the Charge Each Released in \$3,000 Bath said to Be First Indictments of the hand Ever Found in This County

Indicaments charging perjury against or of the seven trustees of the Washigton Savings Bank were handed up y the Grand Jury yesterday and it is dieved that other indictments will folw next week

Those indicted yesterday are Thomas F rphy, the Assistant Postmaster; Will-Young, Charles K. Lexow and Dr Harrie A. James. Lexow is a brother of State Senator Clarence Lexow death it is believed was hastened the failures of the Robin banks.

All four of the indicted men appeared day and were released in \$3,000 each. James showed up late in the afternoon after court had closed and was taken pefore Judge Swann in his private chambers. The others were arraigned before Judge Swann in Part I. of General Sesons at 1:30 o'clock. All brought bondsnen with them.

Dr. James was the only one of the thre ho would talk. He said that in certifyig to the condition of the bank he had examined all of the books that had been shown to him and that if there were others e was not aware of it. He believed, he said, that under the circumstances he was ot guilty of wrongdoing.

Mr. Whitman said last night that the Washington Savings Bank had been vioating the law for more than two years. The law requires thirteen trustees. The Then one died and another re-

The trustees in January, 1910, were appointed as an auditing committee and as such were required by law to make an examination of the books, vouchers and assets and liabilities as they stood about the ist of January and of July. The examination was supposed to be the source of the semi-annual report required by of the semi-annual report required by

In the report, it is alleged, among the

items were two participation agreements for \$60,000 and \$30,000 in a non-existent mortgage of \$350,000 on account of which transaction Robin was indicted for larceny. In addition there were two mortgages, one for \$90,500 and the other for \$19,250, which after the Washington Savings Bank had closed were found in Robin's private safe. The District Attorney believes that none of the mortgages was in the possession of the bank last July.

According to the findings of the Grand Jury the committee made no examination of the condition of the bank's affairs.

District Attorney Whitman said last ingest that this was the first time that the trustees of a savings bank in this county had ever been indicted. In the past forty years only four savings banks have been compelled to close their doors.

The Grand Jury is by no means at the end of the examination of the affairs of the various institutions in which Robin was interested. They have not finished with the books of the Northern Bank and when that job has been completed they will then go into the books of the Railway Traction and Construction Company.

HIS OWN LAWYER, HE FAILS. of 1909. William E. Mowbray Can't Get His Case Reopened.

William E. Mowbray, a builder of 604 Vest 115th street, appeared as his own awyer before the Appellate Division of he Supreme Court yesterday and asked he court to reopen a case which has been vice decided against him by the Court Appeals. Nowbray submitted a petition of 126 typewritten pages in support

Mowbray and William H. DeForest Sr., were partners in the building business over twenty years ago and put up over a score of houses on the west side of Har-lem. In 1898 Mowbray sued his partner and his partner's son, William H. De-Forest, Jr., for an accounting of the partnership and in 1902 he got judgment by default for \$246,544. The younger De orest moved to open the default three wars later and this was done on the payment of \$2,100 to Mowbray. The case was sent before a referee, who dismissed the complaint, and the higher courts ap-

Herbert R. Limburg, who appeared yesorday to oppose Mowbray's motion,
said he could not possibly succeed because
his case turned on the construction of a
written agreement which has been passed
upon twice by the Court of Appeals.
In his petition Mowbray apologized to
the court for his lack of knowledge of
legal terms and said that he was struggling to give the court the facts. He
had that as a result of his partnership
with the elder DeForest, who died in 1907,
as judgments have been held over his

with the elder DeForest, who died in 1907, else judgments have been held over his head since 1888, and all the copartnership debts were shouldered upon him, while his partner got possession of all the assets and sold twenty-four houses and lots they had owned under mortgage fore-closures brought by the Tilden estate and the Bowery Savings Bank. He said that DeForest bought back twelve of the houses himself and thus shut him out of all his equity.

Since 1888 I have had my good name Since 1888 I have nad my good name ouded with deficiency judgments and spartnership debts," said Mowbray, and am unable to pursue my occupation a builder to my grievous loss and

mage."
Mowbray said that only recently when was looking over the record in his case rying to figure how he lost he found that rying to ngure now he lost he found that the default of the senior De Forest was never opened and that the issues against him have never been tried. A lawyer who had prepared his case hastily failed to show this in his papers, Mowbray said. The court denied Mowbray's motion.

T. R. ELECTED GOV. BALDWIN. Republican National Committeeman Even Suggests How.

NEW HAVEN, Conn., Jan. 13. Charles Brooker of Ansonia, Republican naonal committeeman for Connecticut, oday denounced Col. Roosevelt for in-Jules Conn, former proprietor of Maxim's referring in the Connecticut campaign set fall. "Had former President Rosserbities I am confident we should have betted our candidate for Governor," at Mr. Rossevelt's interference that didde Baldwin won. There are thousands a men who live in Connecticut and vote one who live in Connecticut and vote one who have business interests in New Joseph and return to Connecticut in the possibility. There is no doubt that many I these men were influenced by what they man deast their ballots accordingly. Governor. He is of a higher class than their part has been accustomed to the possibility of the possibility of the policy of the mines of New England and will make a good to the Mark & Hacker. A. J. Dooler has leased the store and there is no former proprietor of Maxim's restaurant, has bought the lease of the cafe keyal at the southwest corner of Gavernor and there is no loubt that many in the policy of the second loft in Nos. 439 and 461 Broadway to Jules. Welsh testified that his pistol as the policy in conjunction with their present occupy it in conjunction with their pre erfering in the Connecticut campaign

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THE REAL ESTATE MARKET

IMPROVEMENT SHOWN IN THE DECEMBER BUILDING RECORD.

The Total Cost of the New Structures Planned in 110 Cities Was Only 1.8 Per Cent. Behind the Correspot Month a Year Ago Building Normal

Bradstreet's will say to-day: Final returns to Bradstreet's of building expenditure for the month of December. pank for two years and a half had only 1910, show a total expenditure permitted for at 110 cities of the United States of signed, so for more than a year there \$59,220,394, as against \$60,269,260 in No-have been only seven. \$59,220,394, as against \$60,269,260 in No-vember, and \$60,345,099 in December, 1909. There is here shown a decrease from November of 1.7 per cent., and from

December, 1909, of 1.8 per cent. Of the 110 cities reporting, fifty-six showed decreases while fifty-four showed increases as compared with December.

For the calendar year 1910 complete re The report of the Washington Savings
Bank was made July 29, 1910. According to the indictments handed down yesterday the four men signed and swore to a statement that they had complied with the law regarding the examination of the books and that their report was true to the best of their belief.

In the report it is alleged among the Of this list sixty cities show gains and fifty-four show losses from 1909. Comparisons back to 1908 are possible at 104

reached in the first half of 1908, while the high water mark was in the first half

Private Sales.

32.6x100, actioning the southeast corner of Ninety-fifth street.

SEVENTY-FIFTH STREET.—Josephine J. Wright has sold No. 211 West Seventy-fifth street, a three story and basement dwelling, on lot 22x102.2. The house actions the Astor spartment house at the northwest corner of Broadway and Seventy-fifth street.

MANHATTAN AVENUE.—Samuel Krulewitch has sold to Lewis Cohen the five story flat at No. 498 Manhattan avenue, on lot 18.9x95.

132D STREET.—M. H. Meyers and Gilbert Robbins have sold for a Mr. Carpenter No. 281 West 132d street, a three story and basement dwelling, on lot 16.8x99.11, adjoining the northeast corner of Eighth avenue. The buyer is a Mr. Monday, who gives in exchange the private dwelling at No. 1411 Nelson avenue, on plot 16.8x95.

16.895.

PROSPECT AVENUE.—Miss Katherine
Grill has sold to a firm of builders the
plot 50x161x irregular, on the west side
of Prospect avenue, 300 feet north of
145th street. The plot is opposite Macy
place and will be improved by the buyers.
INTERVALE AVENUE.—The Broadway
and Cathedral Parkway Company has sold
to an investor the four story flat, on plot
43.3x88x100, on the east side of Intervale
avenue, 125 feet north of 183d street.

Aaron Coleman is the buyer of No. 134
West 128th street, sold recently by Woodbury G. Langdon through the H. M. Weill
Company.
J. Arthur Fischer, John B. Perry and
Harry E. Hays have been elected members of the Real Estate Board of Brokers.
Bertrand G. Burtnett has removed his office to 200 Broadway.

HELD FOR STRAY BULLET DEATH
Welsh, but Coroner Objects.

James T. Welsh, a policeman, charged with shooting Lucile Chabenat on the stoop of 139 West Twenty-eighth street on the night of November 21 last, was

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SELECT APARTMENTS

TWO HOME BUILDINGS Nos. 521-523 West 112th St. The completion of here apartments is now at hand. Discriminating scopic invited to inspect; concessions will be

ROE & GOULD, Agents Tel. 7148 Mad. Sq.

Station, which will be located on the site of the old station on the aorth side of Forty-second street between Depew place and Vanderbilt avenue. It will have a frontage of 245.6 feet on the street by 340.4 on each side. The plans consist of a set of fifty-five drawings, which were filed by the firms of Roed & Stern and Warren & Wetmore, architects. The New York Central and Hudson. River Railroad Company is the owner. The cost has been placed at \$4,000,000.

J. C. Cocker, architect, has filed plans for a one story brick storage house to be built at No. 557 West Thirty-sixth street for H. F. Juventy, owner of record, at a cost of \$1,500. The building will have a frontage of 23.6 feet and a depth of 98.9 feet.

Gronenberg & Leuchtag, architects, have filed plans for making interior alterations to the five story brick tenement house at No. 374 Manhattan avenue for Simon Friedberg at a cost of \$5,000.

Affred C. Bossom, architect, has filed plans for building a one story rear extension to the three story bottling plant of the Bear Lithia Springs Company at Nos. 487 and 489 Eleventh avenue to enlarge the facilities of the plans filed for new buildings in the Borough of The Bronx comprise a two story brick dwelling on the south side of Laconia avenue. 75 feet north of 232d street, for Mary Lamperty, at a cost of \$3,000; a five story brick tenement on the north side of Tremont avenue. 50.2 feet west of Walton avenue. For the Hau Construction Company, at a cost of \$40,000; a two story brick dwelling on the south side of Benedict avenue 11.3 feet east of Starrow street, for Gorman & Schilling, at a cost of \$7,000; two five story brick tenements on the north side of 17ist street, too feet east of Third avenue, a cost of \$60,000; iwo five story brick tenements at the southwest corner of Wilkins avenue and 170th street for the Reliant Reality and Construction Company, at a cost of \$60,000; iwo five story brick tenements at the southwest corner of Wilkins avenue and 170th street for the Reliant Reality and Construction Comp

Yesterday's Auction Sales. BY SAMUEL MARK.

134th street, Nos. 45 and 47, north side, 265 feet west of Flifth avenue, 50x99-11, brick church; J. L. Holland vs. the Mercy Seat Baptist Church et al.; due on judgment. \$10,150.50; subject to taxes, &c., \$133.98. Adjourned to Febr

Adjourned to February Br. Joseph P. Dat.

Reventh street, No. 231, north side, 139 10 feet west of Waverley place, 20.3x about 107, three story dwelling; A. L. Cross vs. G. F. Cooper et al.; due on Judgment, 36,542.07; subject to taxes. &c. 3550.22; to the plaintiff.

DID HE TELL CLIENT TO HIDE?

property at No. 11 street street of have sold the plot 162,2x119.10 at the northwest corner of St. Nicholas avenue and 153d street to William Axelrod, who it is said, will creet a six story apartment has sold to E. A. Turner No. 712 West End avenue, a five story flat on plot 33.6x100, adioining the southeast corner of Ninciv-fifth street.

SEVENTY-LETTH STREET,—Josephine J. Street away from this court room. I will

unable to get an adjournment and that it would be well to keep under cover for a day or two. Pascal toldhim, he said, "You keep away from this court room. I will fix it and your case won't go on."

Mrs. Clarence L. Smalley, a friend of the Fahrenholz family, saidishe was with Fahrenholz and his wife when Pascal made the alleged statements. She stated that Pascal told Fahrenholz and his wife to say anything about it because it

would cost him \$250 fine and six months in jail for contempt.

"What else did he say?" asked Assistant District Attorney Delehanty.

"He took the last \$10 off the woman," said Mrs. Smalley. The witness said Fahrenholz replied. "If it causes any trouble or anything I would rather have my case over and I will appear."

Pascal testified that he didn't suggest the plan at all. He said that Fahrenholz told him he was afraid to plead before Judge Malone and that he told the man, "I can't help you out of this predicament. The only chance we stand before this Court is if we make restitution. If you want to take your chances of forfeiting the bond don't come subsequently to the the bond don't come subsequently to the Court and say I told you to do it."

HELD FOR STRAY BULLET DEATH

held by Coroner Feinberg yesterday until the District Attorney can review the

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46TH ST., 363 WEST—Parior, bedroom: run ing water: plane; sunny front room; adjoining 12TH ST., 59 WEST-Medium and small rooms telephone; bath; gentlemen only; private house

115TH ST., 419 WEST—Rievator; attractive light, suite; double room; good heat; apartment 5, front. 68TH ST., 42 WEST-Handsomely furnish rooms, suitable one, two persons; also hall roo phore.

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71ST ST., 141 WES1—Third floor in private nouse; bath; references; phone; gentlemen pre-72D ST., 122 WEST Destrable one and two room suite; also studio; high class accommoda-72D ST., 121 WEST—Large attractive furnished room; excellent table; refined business people; telephone; reference. 77TH ST., 104 WEST Destrable large room; also medium; suitable for two; excellent table; refer-

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